

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

September 22, 2015

UNITED STATES OF AMERICA,

v.

BRIAN AVERY SMITH,

Defendant(s).

REPORT & RECOMMENDATION
13-CR-84A

By Order of the Hon. Richard J. Arcara dated September 18, 2015, the above case was referred to me, with the consent of the defendant, to take the defendant's plea of guilty and to conduct an allocution pursuant to Rule 11 of the Federal Rules of Criminal Procedure for a Report and Recommendation. The following is my Report and Recommendation as to the defendant's plea of guilty.

On September 22, 2015, the defendant entered a plea of guilty in this case. In accordance with my oral Report and Recommendation at the close of the plea proceeding, it is my Report and Recommendation that the defendant's plea of guilty accords with the requirements of Rule 11 of the Fed. R. Crim. P. and that your Honor adjudge the defendant guilty of the offense(s) to which the guilty plea was offered.

SO ORDERED.

Dated: September 22, 2015
Buffalo, New York



H. KENNETH SCHROEDER, JR.
United States Magistrate Judge